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KIM SMITH,

Plaintiff,

V.

JAMES MORGAN, et al.,

Defendants.

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Civil No. 1:01-0817

(Judge William W. Caldwell)

(Magistrate Judge Malachy E. Mannion)

The Corrections Defendants, by and through their attorney, John J. Talaber, Assistant Counsel, Pennsylvania Department of Corrections, pursuant to Fed.R.Civ.P. 56, respectfully moves this Honorable Court to grant summary judgment on their behalf for the reasons stated within the supporting brief to be filed in accordance with Pa.MDLR 7.5.

FILED  
HARRISBURG, PA

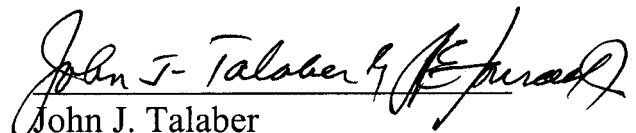
DEC 13 2002

MARY E. D'ANDREA, CLERK  
Per [Signature]  
Deputy Clerk

**WHEREFORE**, the Corrections Defendants respectfully move this  
Honorable Court to grant summary judgment on their behalf.

Respectfully submitted,  
Office of General Counsel

BY:

A handwritten signature in dark ink, appearing to read "John J. Talaber", is written over a horizontal line.

John J. Talaber  
Pa. Department of Corrections  
55 Utley Drive  
Camp Hill, PA 17011  
(717) 731-0444  
Attorney Id. No. 83279

Dated: December 13, 2002

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

KIM SMITH,

Plaintiff,

v.

JAMES MORGAN, et al.,

Defendants.

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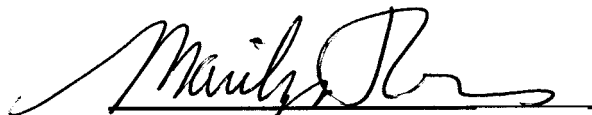
**CERTIFICATE OF SERVICE**

I the undersigned hereby certifies that a copy of the Corrections Defendants' Motion for Summary Judgment in this matter was served upon the person(s) in the manner indicated below.

Service by first-class mail  
addressed as follows:

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Marilyn Jones  
Clerk Typist 2

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55 Utley Drive  
Camp Hill, PA 17011  
(717) 731-0444

Dated: December 13, 2002